

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Yellop et al.  
Serial No. : 09/200,509  
Filed : November 25, 1998  
Title : CURRENCY VALIDATION APPARATUS AND METHOD

Art Unit : 3652  
Examiner : F. Bartuska

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Commissioner for Patents  
Washington, D.C. 20231

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REPLY BRIEF FOR APPELLANTS

Since the Examiner's Answer dated September 25, 2001 includes several additional arguments, the applicant responds as follows:

I. GRINER DOES NOT ANTICIPATE ANY OF CLAIMS 1, 9 AND 11 AT LEAST FOR THE REASON THAT THE REFERENCE DOES NOT DISCLOSE TO FIRST CHECK, PRIOR TO DETERMINING WHETHER OR NOT THE ARTICLE IS TO BE ACCEPTED OR REJECTED, THE MEASURED PROPERTIES OF AN ARTICLE AGAINST A PLURALITY OF SETS OF CRITERIA OF DIFFERENT TYPES; SECONDLY TO DETERMINE WHETHER AN ARTICLE IS VALID; AND THEN LASTLY TO SUBSEQUENTLY DETERMINE WHETHER THE MEASURED PROPERTIES OF THAT ARTICLE MEET AT LEAST ONE FURTHER SET OF CRITERIA OF AN ARTICLE OF A DIFFERENT TYPE AS SET FORTH IN CLAIM 1.

The Examiner's Answer recites:

"It is the examiner's position that Griner teaches a method for validating three types of articles, namely nickels, dimes and quarters. The coins are checked against different sets of criteria corresponding to nickels, dimes and quarters. As shown in Fig. 4 of Griner before a dime is accepted or rejected it is checked against the sets of criteria corresponding to nickels and quarters and after not being accepted as either a nickel or a quarter, the dime is

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November 20, 2001

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*Dale Maher*

Dale Maher

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IV. CLAIM 2 IS PATENTABLE BECAUSE BEST  
SUGGEST A METHOD WHEREIN THE COMBINATIONS  
CHECKED PRIOR TO ISSUING THE SIGNAL IS ALTERED

The Examiner's Answer recites:

"Re claim 2 the appellants argue that the amendment  
rejection remove any possible ambiguity in the sentence stating  
examiner's position that Best in col. 5, lines 42-55 clearly discloses  
sets of criteria are altered before an accept signal is issued just as  
claim 2."

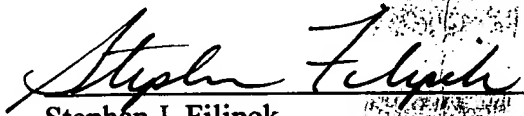
The interpretation of claim 2 proffered above is incorrect. In fact, claim 2  
to make it clear that the phrase "prior to issuing the signal" applies to the term "checked",  
it is the combination of sets which has been checked prior to issuing an accept or reject signal  
that is altered. Best does not teach or suggest such operation and thus claim 2 is patentably  
distinct thereover.

For these reasons, and the reasons stated in the Appeal Brief, Applicant submits that the  
final rejection should be reversed.

This Reply Brief has been submitted in triplicate, and no fee is believed to be due.  
However, if any fee is due please charge Deposit Account No. 06-1050.

Respectfully submitted,

Date: 20 November 2001

  
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The applicant respectfully asserts that claims 14-19 involving an automatic operation that results in either or both not previously acceptable becoming acceptable (claims 15-19) which was previously acceptable is no longer acceptable (claims 14-19) language of these claims clearly recites such operation. Therefore, it is asserted that claims do not include the limitation that the set of denominations is altered. The statement that "the claims state that the criteria for acceptance is altered..." is not a limitation. The claims only refer to making the criteria effective or ineffective. Most crucially, the applicant admits that Best teaches that the "particular denomination is still accepted". Consequently, Best does not change which denominations are accepted. Thus, the applicant respectfully asserts that claims 14-19 are not anticipated.

### III. CLAIM 12 IS PATENTABLE BECAUSE BEST DOES NOT TEACH OR SUGGEST TO ALTER THE SEQUENCE OF CRITERIA FOR A SUBSEQUENT VALIDATION OPERATION AS RECITED IN CLAIM 12.

The Examiner's Answer recites:

"Re claim 12 the appellants argue that Best does not teach or suggest altering the sequence. It is the examiner's position that altering any part of a sequence is altering the sequence. Therefore, altering one of the acceptance bands from K to K' in the sequence of checking the coins in Best is altering the sequence."

Best teaches only to change the width of an acceptance band for a particular article. Best does not teach to change the sequence within which respective types of articles are considered. In Best, the different denominations are checked in the same sequence. In contrast, claim 12 requires to alter the sequence for subsequent validation operations. Consequently, the applicant respectfully asserts that claim 12 is patentable over Best.

"Re claim 11 the appellants argue that G the number of articles which have met the further examiner's position that this storing the number nothing more than the normal value accumulator operated machine. The value of the coins is stored charge can be made and the appropriate change considering the disclosure of a reference, it is prior only specific teachings of the reference but also the one skilled in the art would reasonably be expected to draw therefrom. *Preda*, 401 F.2d 825, 826, 159 USPQ 342, 344 (CCPA 1968).

The applicant respectfully asserts that this argument is incorrect. A claim merely identifies the total value of accepted articles (and only for a single transaction) possible to deduce from that how many articles of a particular type have been received under claim 11, which recites to store data indicating the number of articles which have met at further set of criteria in such a manner as to enable downloading of the data, is not anticipated by Griner.

II. BEST DOES NOT ANTICIPATE ANY OF CLAIMS 14-19 AT LEAST FOR THE REASON THAT BEST DOES NOT TEACH A METHOD OR DEVICE THAT OPERATES SO THAT A DENOMINATION WHICH WAS NOT PREVIOUSLY ACCEPTABLE BECOMES ACCEPTABLE, OR SO THAT A DENOMINATION WHICH WAS PREVIOUSLY ACCEPTABLE IS NO LONGER ACCEPTABLE.

The Examiner's Answer recites:

"It is the examiner's position that Best discloses accepting a plurality of denominations in col. 1, lines 27-36 and having an acceptance band for each denomination. Each acceptance band comprises a set of criteria for a particular denomination and each coin would be checked against each set of criteria. Further, the appellants argue that Best does not teach or suggest altering the set of denominations to be checked. It is the examiner's position that the claims do not include the limitation that the set of denominations is altered. Rather, the claims state that the criteria for acceptance is altered or rendered ineffective. The switching from one range K to the other range K' in Best is altering the set of criteria that defines an acceptable coin of a particular denomination. The particular denomination is still accepted but a different set of criteria is used to determine if the coin is of that denomination."

checked against the different set of criteria the method of checking a dime in the device of Griner limitations of appellants' claims 1, 9 and 11; the plurality of sets of criteria, corresponding to a method of determining that the dime is neither a valid nickel nor a dime, subsequently determining if the dime meets the

It is illogical to interpret Griner in the manner suggested.

claim 1. In particular, if a coin is tested to see if it is a dime, then it can be rejected because then there could be no reason to be testing it. And once a coin is either a nickel, quarter or dime Griner does not teach to make a subsequent determination concerning at least one further set of criteria. The applicant asserts that the Examiner's interpretation of Griner is incorrect, and that claim 1 is therefore not anticipated.

The Examiner's Answer also recites:

"Re claim 9 the appellants argue that Griner does not anticipate the limitation that the further set of criteria represents an article that is to be rejected. It is the examiner's position that this is only a statement of intended use. If for some reason the operator of the machine of Griner does not want to accept dimes, they can be returned with the rejected coins. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In a claim drawn to a process of making, the intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 35 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963)."

The applicant respectfully disagrees. The structure of Griner involves various gates, circuits and control means that are arranged so that a coin meeting a set of acceptance criteria causes an accept gate to direct that coin to an accept path. The criteria thus represent articles which are to be accepted. In contrast, claim 9 specifically refers to one of the sets of criteria representing an article which is to be rejected; therefore, an article which has been found to meet these criteria would lead to a routing of that article to the reject path.

Consequently, the applicant asserts that claim 9 is not anticipated.

The Examiner's Answer also recites:

IN THE UNITED STATES PATENT A.

Applicant : Yellop et al. Art  
Serial No. : 09/200,509 Exa  
Filed : November 25, 1998  
Title : CURRENCY VALIDATION APPARA

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Washington, D.C. 20231

REPLY BRIEF FOR APPELLANTS

Since the Examiner's Answer dated September 25, 2001 includ arguments, the applicant responds as follows:

I. GRINER DOES NOT ANTICIPATE ANY OF CLAIMS LEAST FOR THE REASON THAT THE REFERENCE DOES NOT D. CHECK, PRIOR TO DETERMINING WHETHER OR NOT THE ART. ACCEPTED OR REJECTED, THE MEASURED PROPERTIES OF AN A PLURALITY OF SETS OF CRITERIA OF DIFFERENT TYPES; SEC DETERMINE WHETHER AN ARTICLE IS VALID; AND THEN LAS SUBSEQUENTLY DETERMINE WHETHER THE MEASURED PROP THAT ARTICLE MEET AT LEAST ONE FURTHER SET OF CRITERIA OF CLE OF A DIFFERENT TYPE AS SET FORTH IN CLAIM 1.

The Examiner's Answer recites:

"It is the examiner's position that Griner teaches a method validating three types of articles, namely nickels, dimes and quarter. The coins are checked against different sets of criteria corresponding to nickels, dimes and quarters. As shown in Fig. 4 of Griner before a dime is accepted or rejected it is checked against the sets of criteria corresponding to nickels and quarters and after not being accepted as either a nickel or a quarter, the dime is

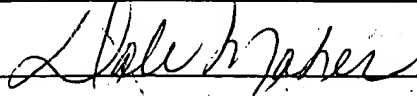
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Dale Maher

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checked against the different set of criteria that corresponds to dimes. The method of checking a dime in the device of Griner clearly meets all the limitations of appellants' claims 1, 9 and 11; that is, being checked against a plurality of sets of criteria, corresponding to a nickel and a quarter, and determining that the dime is neither a valid nickel nor a valid quarter and subsequently determining if the dime meets the set of criteria for a dime."

It is illogical to interpret Griner in the manner suggested so that such teaching anticipates claim 1. In particular, if a coin is tested to see if it is a dime, then it cannot yet have been rejected because then there could be no reason to be testing it. And once a coin is accepted as either a nickel, quarter or dime Griner does not teach to make a subsequent determination concerning at least one further set of criteria. The applicant asserts that the Examiner's strained interpretation of Griner is incorrect, and that claim 1 is therefore not anticipated.

The Examiner's Answer also recites:

"Re claim 9 the appellants argue that Griner does not anticipate the limitation that the further set of criteria represents an article that is to be rejected. It is the examiner's position that this is only a statement of intended use. If for some reason the operator of the machine of Griner does not want to accept dimes, they can be returned with the rejected coins. A recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In a claim drawn to a process of making, the intended use must result in a manipulative difference as compared to the prior art. See *In re Casey*, 152 USPQ 235 (CCPA 1967) and *In re Otto*, 136 USPQ 458, 459 (CCPA 1963)."

The applicant respectfully disagrees. The structure of Griner involves various gates, circuits and control means that are arranged so that a coin meeting a set of acceptance criteria causes an accept gate to direct that coin to an accept path. The criteria thus represent articles which are to be accepted. In contrast, claim 9 specifically refers to one of the sets of criteria representing an article which is to be rejected; therefore, an article which has been found to meet these criteria would lead to a routing of that article to the reject path.

Consequently, the applicant asserts that claim 9 is not anticipated.

The Examiner's Answer also recites:

"Re claim 11 the appellants argue that Griner does not disclose storing the number of articles which have met the further set of criteria. It is the examiner's position that this storing the number of acceptable articles is nothing more than the normal value accumulator that is used in all coin operated machine. The value of the coins is stored so that the appropriate charge can be made and the appropriate change can be returned. "[I]n considering the disclosure of a reference, it is proper to take into account not only specific teachings of the reference but also the inferences which one skilled in the art would reasonably be expected to draw therefrom." *In re Preda*, 401 F.2d 825, 826, 159 USPQ 342, 344 (CCPA 1968)."

The applicant respectfully asserts that this argument is incorrect. A credit accumulator merely identifies the total value of accepted articles (and only for a single transaction). It is not possible to deduce from that how many articles of a particular type have been received. Thus, claim 11, which recites to store data indicating the number of articles which have met at least one further set of criteria in such a manner as to enable downloading of the data, is not anticipated by Griner.

II. BEST DOES NOT ANTICIPATE ANY OF CLAIMS 14-19 AT LEAST FOR THE REASON THAT BEST DOES NOT TEACH A METHOD OR DEVICE THAT OPERATES SO THAT A DENOMINATION WHICH WAS NOT PREVIOUSLY ACCEPTABLE BECOMES ACCEPTABLE, OR SO THAT A DENOMINATION WHICH WAS PREVIOUSLY ACCEPTABLE IS NO LONGER ACCEPTABLE.

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The applicant respectfully asserts that claims 14-19 recite methods and apparatus involving an automatic operation that results in either or both of (a) a denomination which was not previously acceptable becoming acceptable (claims 15 and 17 to 19), or (b) a denomination which was previously acceptable is no longer acceptable (claims 14, 16, 18 and 19). The language of these claims clearly recites such operation. Therefore, it is wrong to state that "the claims do not include the limitation that the set of denominations is altered". Further, the statement that "the claims state that the criteria for acceptance is altered..." is inaccurate. The claims only refer to making the criteria effective or ineffective. Most crucially, the Examiner admits that Best teaches that the "particular denomination is still accepted". Consequently, Best does not change which denominations are accepted. Thus, the applicant respectfully asserts that claims 14-19 are not anticipated.

III. CLAIM 12 IS PATENTABLE BECAUSE BEST DOES NOT TEACH OR SUGGEST TO ALTER THE SEQUENCE OF CRITERIA FOR A SUBSEQUENT VALIDATION OPERATION AS RECITED IN CLAIM 12.

The Examiner's Answer recites:

"Re claim 12 the appellants argue that Best does not teach or suggest altering the sequence. It is the examiner's position that altering any part of a sequence is altering the sequence. Therefore, altering one of the acceptance bands from K to K' in the sequence of checking the coins in Best is altering the sequence."

Best teaches only to change the width of an acceptance band for a particular article. Best does not teach to change the sequence within which respective types of articles are considered. In Best, the different denominations are checked in the same sequence. In contrast, claim 12 requires to alter the sequence for subsequent validation operations. Consequently, the applicant respectfully asserts that claim 12 is patentable over Best.

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Attorney's Docket No. 07703-280001

IV. CLAIM 2 IS PATENTABLE BECAUSE BEST DOES NOT TEACH OR SUGGEST A METHOD WHEREIN THE COMBINATION OF SETS WHICH ARE CHECKED PRIOR TO ISSUING THE SIGNAL IS ALTERED.

The Examiner's Answer recites:

"Re claim 2 the appellants argue that the amendments after final rejection remove any possible ambiguity in the sentence structure. It is the examiner's position that Best in col. 5, lines 42-55 clearly discloses that the sets of criteria are altered before an accept signal is issued just as is stated in claim 2."

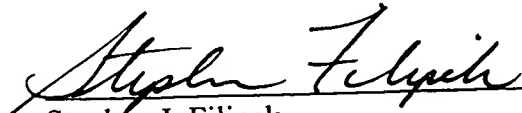
The interpretation of claim 2 proffered above is incorrect. In fact, claim 2 was amended to make it clear that the phrase "prior to issuing the signal" applies to the term "checked". Thus, ~~it is the combination of sets which has been checked prior to issuing an accept or reject signal~~ that is altered. Best does not teach or suggest such operation and thus claim 2 is patentably distinct thereover.

For these reasons, and the reasons stated in the Appeal Brief, Applicant submits that the final rejection should be reversed.

This Reply Brief has been submitted in triplicate, and no fee is believed to be due. However, if any fee is due please charge Deposit Account No. 06-1050.

Respectfully submitted,

Date: 20 November 2001

  
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